

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	CASE NO.: CR05-130- JLR
	)	
Plaintiff,	)	
	)	
v.	)	DETENTION ORDER
	)	
RICHARD CAYOU, JR,	)	
	)	
Defendant.	)	

Offense charged:

Sexual Act with a Minor

Date of Detention Hearing: September 2, 2005

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is charged by Indictment with engaging in a sexual act with a minor female between the ages of 12 to 16 years.

(2) Defendant has an extremely lengthy record of involvement in the criminal justice system either as a witness or defendant, including theft, multiple instances of failing to appear,

01 probation violations, taking a motor vehicle without permission, burglary, vehicle prowling, alcohol  
02 problems, resisting arrest and criminal trespass. There is currently a No Contact order in effect  
03 against the defendant involving the alleged victim of the instant offense.

04 (3) The defendant is able to travel freely across the United States/Canadian border by  
05 utilizing his tribal identification, without regard to pending charges or criminal history.

06 (4) The defendant has a history of sporadic employment, and substance abuse.

07 (5) The defendant does not have a viable release plan and therefore does not contest  
08 detention.

09 (6) The defendant poses a risk of non appearance due to ability to travel freely between  
10 the United States and Canada, criminal history, sporadic employment, substance abuse, history of  
11 failing to appear and the nature of the instant offense. He poses a risk of danger due to the  
12 nature of the instant offense, criminal history, past history of substance abuse and potential mental  
13 health issues.

14 (7) There does not appear to be any condition or combination of conditions that will  
15 reasonably assure the defendant's appearance at future Court hearings while addressing the danger  
16 to other persons or the community.

17 It is therefore ORDERED:

18 (1) Defendant shall be detained pending trial and committed to the custody of the  
19 Attorney General for confinement in a correction facility separate, to the extent  
20 practicable, from persons awaiting or serving sentences or being held in custody  
21 pending appeal;

22 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
23 counsel;

24 (3) On order of a court of the United States or on request of an attorney for the  
25 Government, the person in charge of the corrections facility in which defendant is  
26 confined shall deliver the defendant to a United States Marshal for the purpose of

01 an appearance in connection with a court proceeding; and

- 02 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
03 counsel for the defendant, to the United States Marshal, and to the United States  
04 Pretrial Services Officer.

05 DATED this 2nd day of September, 2005.

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07 Mary Alice Theiler  
08 United States Magistrate Judge  
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